

city. Thus, a given area might be restricted to single-family residential development with minimum lot size requirements and setback provisions appropriate for development. In other areas, commercial or industrial development might be permitted, and regulations would be enacted to control such development. Building code provisions or sanitary regulations, on the other hand, normally apply to all buildings in a certain category regardless of where they may be situated within a city.

The zoning ordinance does not regulate the design of streets, utility installation, the reservation or dedication of parks, street rights-of-way, school sites, and related matters. These are controlled by subdivision regulations or possibly by use of an official map. The zoning ordinance should however, be carefully coordinated with these and other control devices.

Official Maps

The roadway corridor official map (or official map) is a document, adopted by the legislative body of the community, that pinpoints and preserves the location of proposed streets against encroachment. In effect, the official map serves notice on developers that the State or municipality intends to acquire certain specific property. The official map serves as a positive influence for sound development by reserving sites for public improvements in anticipation of actual need.

The NCDOT position is that it will limit the use of official maps to large scale, fully access controlled facilities planned for rapidly developing areas outside of municipal jurisdictions. For projects within municipal jurisdictions, official maps should be prepared and adopted by the local government. Municipalities may adopt official maps that extend beyond its extraterritorial jurisdiction with approval from the Board of County Commissioners.

It should be recognized that an official map places severe but temporary restrictions on private property rights. These restrictions are in the form of a prohibition, for up to three years, on the issuance of building permits or the approval of subdivisions on property lying within an official map alignment. The three year reservation period begins with the request for development approval. This authority should be used carefully and only in cases where less restrictive powers are found to be ineffective.

Requests for NCDOT to prepare and adopt an official map should be directed to the manager of the Program, Policy and Budget Branch. For cities contemplating the adoption of an official map, there are two ways in which the city may proceed. The first is to consider the official map statute as a stand-alone authority and use it as the basis for local adoption of an official map. Alternatively, the second approach is to adopt a local ordinance modeled after the statute, but modified to fit local circumstances and clarify the statute. Regardless of the approach taken, several procedural steps will need to be considered, such as establishing procedures for consideration of variance petitions.